



October 29, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

## ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

27 October 29, 2013

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Caring for Your Coast

Gary Jones  
Acting Director  
Kerry Silverstrom  
Chief Deputy  
John Kelly  
Deputy Director

Dear Supervisors:

**APPROVAL TO EXTEND TREE MAINTENANCE SERVICES IN MARINA DEL REY  
WITH TRUGREEN LANDCARE, LLC, CONTRACT NO. 76754  
AMENDMENT 3  
(SUPERVISORIAL DISTRICT 4)  
(3 VOTES)**

### SUBJECT

This action will extend the current contract for tree maintenance services in Marina del Rey for up to six months on a month-to-month basis.

### IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and authorize the Chairman to execute Amendment 3 to Contract Number 76754 with TruGreen LandCare, LLC, which will extend the existing tree maintenance services contract for up to six months on a month-to-month basis at the existing rates, terms and conditions for a maximum amount of \$50,386.
2. Authorize the Acting Director of the Department of Beaches and Harbors to increase the contract amount by a sum not to exceed 10% (\$5,039) during the month-to-month extension period for additional, unforeseen services within the scope of this contract.
3. Find that tree maintenance services continue to be performed more economically by TruGreen LandCare, LLC than by County employees.



### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The existing contract between the Department of Beaches and Harbors (Department) and TruGreen LandCare, LLC (TruGreen) will expire on November 17, 2013. In accordance with the Department's Policy No. 23, Tree Pruning in Marina del Rey and on County Beaches in Accordance with Native Bird Breeding Cycles, the performance of annual tree pruning activities is required from October through December to reduce the impact on nesting of breeding bird species. Therefore, the current contract will expire during the required timeframe these essential services are to be performed. Extension of the contract will allow tree maintenance services to continue through the required tree pruning months and will allow the Department to complete a Request for Proposals (RFP) solicitation that will allow for a contract period that more appropriately coincides with the tree maintenance cycle of the Department.

The current contractor, TruGreen, has agreed to maintain the same rates, terms and conditions during the maximum six-month extension.

### **Implementation of Strategic Plan Goals**

The extension of the current contract will promote and further the Board-approved Strategic Plan Goal of Operational Effectiveness (Goal 1), by enabling the Department to continue to provide well maintained grounds in Marina del Rey while ensuring bird species are protected.

### **FISCAL IMPACT/FINANCING**

The maximum cost to provide tree maintenance services through the six-month extension period is \$50,386. There is sufficient appropriation in the Department's FY 2013-14 Final Adopted Budget to fund the cost of the contract and any additional or unforeseen services within the scope of this contract.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Amendment 3 (Attachment I) to Contract Number 76754 with TruGreen will be executed upon your Board's approval of this action.

TruGreen continues to be in compliance with all Board requirements. The Department has evaluated and determined that the contractor continues to fully comply with the requirements of the Living Wage Program (County Code Chapter 2.201) and has agreed to pay all employees providing these County services a Living Wage. The Department has determined that these services continue to be more economically performed by an independent contractor than by County employees.

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All rates, terms and conditions will remain the same during the maximum six-month extension period. The amendment has been approved as to form by County Counsel.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will allow for the continuation of tree maintenance services in Marina del Rey.

**CONCLUSION**

Authorize the Executive Officer of the Board to send two adopted copies of this letter to the Department of Beaches and Harbors, Administrative Services Division, 13483 Fiji Way, Trailer #3, Marina del Rey, CA 90292. Should you have any questions, please contact Nicolette Taylor at (310) 577-5736 or [NTaylor@bh.lacounty.gov](mailto:NTaylor@bh.lacounty.gov).

Respectfully submitted,



GARY JONES  
Acting Director

GJ:NAT:nat

Attachment

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors  
Internal Services Department, County-Wide Contract Compliance Section

AMENDMENT 3 TO CONTRACT NO. 76754

THIS AMENDMENT, made and entered into this 29<sup>th</sup> day of October, 2013, by and between the COUNTY OF LOS ANGELES, a body corporate and politic (hereinafter referred to as COUNTY), and TRUGREEN LANDCARE, LLC (hereinafter referred to as CONTRACTOR).

WHEREAS, Contract No. 76754 (Contract) was entered into between the COUNTY and the CONTRACTOR on November 18, 2008 to provide tree maintenance services on public grounds in Marina del Rey for an initial period of three years, commencing November 18, 2008 through November 17, 2011, with two one-year renewal options; and

WHEREAS, Part I, Section 1.3.2 of the Contract provides that the Director of the Department of Beaches and Harbors may exercise renewal options of the Contract with the CONTRACTOR; and

WHEREAS, the COUNTY and the CONTRACTOR have renewed the Contract for both the first and second option years, with the second and last option year ending on November 17, 2013; and

WHEREAS, the COUNTY and CONTRACTOR previously agreed in AMENDMENT 1 to a reduction in labor hours that effectively reduced the Contract amount from \$131,800 to \$100,772 for the first and second option years of the Contract; and

WHEREAS, the COUNTY has determined that it is in its best interest to extend the contract for up to an additional six months on a month-to-month basis at the existing rates, terms and conditions; and

WHEREAS, the CONTRACTOR is willing to continue to provide these services under the Contract's existing terms and conditions as amended by AMENDMENT 1, AMENDMENT 2 and this AMENDMENT 3, including the reduction of labor.

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 76754 between them shall be amended as follows:

1. PART ONE of the Contract is amended to add the following Paragraph to read as follows:

**1.3.5 Further Extension of the Contract.** The Contract will be extended for up to six months on a month-to-month basis from November 18, 2013 through May 17, 2014. The extension period will commence upon written notice from COUNTY to CONTRACTOR and will end at the end of the six-month period, or earlier upon 30-day written notice from COUNTY to CONTRACTOR.

[illegible]

IN WITNESS WHEREOF, the COUNTY has caused this AMENDMENT 3 to be subscribed by the Chairman of the Board of Supervisors and the Contractor by its duly authorized officer, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By *Mark Ridley-Thomas*  
Chairman, Board of Supervisors



APPROVED AS TO FORM:

JOHN F. KRATTLI  
County Counsel

ATTEST: SACHI A. HAMAI  
EXECUTIVE OFFICER  
CLERK OF THE BOARD OF SUPERVISORS

By *Lachelle Amitheman*, Deputy

By

*for CS*  
Deputy

I hereby certify that pursuant to  
Section 25103 of the Government Code,  
delivery of this document has been made.

SACHI A. HAMAI  
Executive Officer  
Clerk of the Board of Supervisors

By *Lachelle Amitheman*  
Deputy

TruGreen LandCare

By *David J Evans*

**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

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*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

76754  
Supervisor's Office